

ESTATE – The interest which anyone has in lands or in any other property. “*Estate*” is used in conveyances in connection with the words “*right*,” “*title*” and “*interest*.” It is, in a great degree, synonymous with all of them. See CONVEYANCE, REAL ESTATE, PROPERTY, REAL PROPERTY and PERSONAL PROPERTY.

ESTOPPEL – The stopping of a person from asserting a claim by reason of his own previous representations which refute his new claim. The new claim may in fact be true, however, he may be prevented from exerting that claim by “*estoppel*.” See RES JUDICATA.

EVIDENCE – Testimony, physical objects, marks, traces of former objects or relationship between any of these which may furnish proof or part of a proof of a corner location or line location. See COLLATERAL EVIDENCE.

EVIDENCING OF TITLE – The submission of proof of title to a tract of land as shown by an abstract of the recorded patent and deeds of transfer, inheritance, court decree, or other means of establishing the title.

EXCEPTION – In deeds or conveyances, a clause used by the grantor to retain some part of the former estate by excluding it from the deed or grant. “*Except*” means “*not including*.”

EXCHANGE – A transaction whereby the Federal Government receives land in exchange for other land and/or timber. See PRIVATE EXCHANGE, STATE EXCHANGE and TAYLOR ACT EXCHANGE.

EXCHANGE SURVEY – A Cadastral Survey of lands to be exchanged.

EXISTENT CORNER – A corner whose position can be identified by verifying the evidence of the monument, or its accessories, by reference to the description that is contained in the field notes, or where the point can be located by an acceptable supplemental survey record, some physical evidence or testimony.

EX OFFICIO – From office; powers exercised by an official not specifically conferred on him but necessarily implied in his office.

EXPERT WITNESS – A witness is a person who testifies as to what he has observed by sight, sound etc. An “*expert witness*” may testify additionally as to matters of opinion on subjects within fields for which he is qualified. Thus, a cadastral surveyor may interpret the meanings of the symbols, letters and numbers on a plat but he may say nothing to add to or subtract from the official record, which speaks for itself by definition. See EVIDENCE, TESTIMONY, QUALIFIED (as a witness).

EX REL – Ex Relation; Upon relation or information. Legal proceedings which are instituted by the Attorney General (or other proper person) in the name and behalf of the State, but on the information and at the instigation of an individual who has a private interest in the matter, are said to be taken “*on the relation*” (ex relatione) of such person, who is called the “*relator*.” Such cause is usually entitled thus: “*State ex rel. Doe v. Roe*.”

EXTENSION SURVEY – Executed to add to an existing survey. An “*extension survey*” does not, however, complete a survey of boundaries of townships or sections or the subdivision of a township or a section, it only adds to an existing partial survey. See COMPLETION SURVEY.

EXTINGUISHMENT – To render legally nonexistent; to destroy or render void; to nullify; to void, as by payment, treaty, setoff, or limitation of actions, merger of an interest in a great one, etc. Extinguishment is distinguished from the mere transfer, passing, or suspension of a right or obligation.

EXTRALATERAL RIGHTS – In mining, the right to mine ore downward along a lode or vein beyond the side lines of a mining location (claim). The right is limited to claims which contain the apex of the vein at or very near the surface, which are oriented with the lode line substantially along the vein and which have the end lines substantially parallel. The right does not extend beyond planes passing vertically through the end lines. Extralateral rights of claims filed before May 10, 1872, were determined according to the previous law of 1866 and by miner’s local rules and they were not dependent upon parallel end lines. Various States have modified the Federal requirements. See INTRALIMITAL RIGHTS.

F

F.2d – In a citation, as 22 F.2d 100, means Federal Reporter, Second Series.

FAA (Land Status Records) – Federal Aviation Administration.

FBX MER (Land Status Records) – Fairbanks Meridian.

FC (Land Status Records) – Final Certificate.

FED (Land Status Records) – Federal.

FED – Federal. If shown as a citation [198 Fed. 125 (1912)], it means “*Federal Reporter*.”

FF LSE (Land Status Records) – Fur farm lease.

FFMC (Land Status Records) – Federal Farm Mortgage Corporation.

FHA (Land Status Records) – Farmers Home Administration.

FIS (Land Status Records) – Fissionable materials.

FL – Florida.

FLA. – Florida.

FLPMA – Federal Land Policy and Management Act, of 1976.

FLS (Land Status Records) – Forest lieu selection.

FLUP – Free land use permit.

FM U (Land Status Records) – Farm unit.

FPA (Land Status Records) – Federal Power act.

FPAS ACT – The Federal Property and Administration Services Act of 1949, as amended, sets forth the basic contracting procedures and principles which all civilian agencies must follow.

FPC (Land Status Records) – Federal Power Commission.

FPR – Federal Procurement Regulations.

FR (Land Status Records) – Federal Register.

FRAC (Land Status Records) – Fractional.

FRAC INT PAT (Land Status Records) – Fractional Interest patent.

FS (Land Status Records) – Forest Service.

F. SUPP. – Federal Supplement.

FUP (Land Status Records) – Free use permit.

F&WS (Land Status Records) – Fish and Wildlife Service.

FX (Land Status Records) – Forest Exchange.

FAIRBANKS MERIDIAN – The principal meridian governing surveys in east-central Alaska; it was adopted in 1910.

FALLING – The distance by which a random line falls to the right or left of a corner on which the true line is to close. Usually the direction of falling is expressed as cardinal.

FEDERAL LAND – All classes of land owned by the Federal Government.

FEDERAL POWER PROJECT RESERVATION – A reservation of public lands for use in connection with a power development project under the jurisdiction of the Federal Power Commission.

FEDERAL PROCUREMENT REGULATIONS – The regulations issued by the General Services Administration implementing the Federal Property and Administrative Services Act.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 – This law, as amended, sets forth the basic contracting procedures and principles which all civilian agencies must follow.

FEE – The true meaning of the word “*fee*” is the same as that of “*feud*” or “*fief*,” and in its original sense it is distinguished from “*allodium*,” which is defined as a man’s own land, possessed in his own right, without owing any rent or service to any superior. In modern English tenures, “*fee*” means an estate of inheritance clear of any condition, limitation, or restriction to particular heirs, but descendable to the heirs in general, male or female, lineal or collateral. In American law, the terms “*fee*,” “*fee simple*” and “*fee simple absolute*” are equivalent. See FEE SIMPLE, FEE TAIL.

FEE SIMPLE – The estate which a man has where lands are owned by him and his heirs absolutely, with unconditional power of disposition during his life, and descending to his heirs and legal representatives upon his death intestate. Fee simple title to public lands is conveyed by a patent, approved clear list, deed or grant without condition. See APPROVED CLEAR LIST, PATENT, DEED, GRANT, and INTESTATE.

FEE TAIL – An estate limited to one class of heirs.

FIELD EXAMINATION – An on-the-ground investigation of certain public lands in regard to valuation, land use, application for entry, mineralization, etc. See FIELD EXAMINATION (Prior to 1910) and FIELD EXAMINER (Prior to 1910).

FIELD EXAMINATION (Prior to 1910) – A method of checking public land survey field work under the contract system. See FIELD EXAMINER (Prior to 1910), CONTRACT SYSTEM, DIRECT SYSTEM and FIELD EXAMINATION.

FIELD EXAMINER (Prior to 1910) – A surveyor who was employed by the Government to inspect the accuracy and authenticity of contract surveyors’ work. See FIELD EXAMINATION, FIELD EXAMINATION (Prior to 1910), CONTRACT SYSTEM and DIRECT SYSTEM.

FIELD NOTES – The official written record of the survey, certified by the field surveyor and approved by proper authority. Originally, Field Notes were prepared by hand, but they are now typewritten. See FIELD TABLETS and APPROVED SURVEY.

FIELD RETURNS – The field notes, reports and plats submitted for acceptance or approval. See FINAL RETURNS and RETURNS.

FIELD TABLETS – Notebooks in which the initial information is recorded in the field, and from which the Field Notes are transcribed. See FIELD NOTES.

FIFTH PRINCIPAL MERIDIAN – The principal meridian governing surveys in Arkansas, Iowa, Minnesota, Missouri, North Dakota and South Dakota. It was adopted in 1815.

FINAL CERTIFICATE – A document which evidences that an entryman is entitled to a patent provided that no irregularities are found in connection with his entry.

FINAL ENTRY – Where an application to acquire title to public lands has been filed in the proper manner and all the requirements of law and the governing regulations have already been complied with, it is a final entry. Final entries may be either cash entries or commuted entries. See CASH ENTRY and COMMUTED HOMESTEAD ENTRY. Also see ENTRY and ORIGINAL ENTRY.

FINAL RETURNS – In cadastral surveying usage, the field returns are the field notes, reports and plats submitted for acceptance or approval. If some error or omission is found, the field work must be corrected or completed. the corrected and/or completed field returns are referred to as “*final returns*.” See FIELD RETURNS and RETURNS.

FIRST FORM RECLAMATION WITHDRAWAL – A reclamation withdrawal which embraces public lands that are or may be needed in connection with the construction and maintenance of a reclamation project. See SECOND FORM RECLAMATION WITHDRAWAL.

FIRST PRINCIPAL MERIDIAN – Sometimes called “*Ludlow’s Meridian*.” The line surveyed north from the mouth of the Great Miami River; it is also the line between Ohio and Indiana. It was adopted in 1819 and governs surveys in parts of both Ohio and Indiana. One of six principal meridians named for ordinal numbers, it is abbreviated 1st Prin Mer. See ORDINAL NUMBER.

FIVE ACRE TRACT ACT – See SMALL TRACT ACT.

FIVE PERCENT RULE – New area amounts are not usually shown on plats of dependent resurveys. They are shown if the area of a vacant subdivision as determined by the dependent resurvey differs from the former area as returned on the original approved plat by more than two acres per normal legal subdivision, or 5%.

FIXED BOUNDARY – An unchangeable boundary created by operation of law. Examples are: 1) a standard parallel or other control line becomes a fixed boundary on return of areas in adjacent quarter sections. 2) A median line of a nonnavigable stream becomes a fixed boundary after an avulsive change. 3) Meander lines can become fixed boundaries when omitted lands have been created by gross error or fraud in the original survey.

FLAGMAN – A member of a survey party who gives sights to or takes line from the instrument man and flags distant points along the survey line. Also called “*point setter*.”

FLORIDA PURCHASE – The second addition of territory originally claimed by a European power to the territory of the United States. It was ceded by Spain in 1819 under a treaty which settled conflicts with Spain in West Florida and defined the boundary between the United States and the Spanish possessions in the Southwest.

FOLLOWING THE FOOTSTEPS OF THE ORIGINAL SURVEYOR – Retracement of survey lines using field and survey record evidence to determine the direction and distances measured by the surveyor who created the boundary. The process usually requires remeasurement of topographic calls, search for evidence of the previous survey work, determination of consistent or inconsistent chaining or bearing error in the original survey, and consideration of various conditions at the time the survey was executed as well as the methods and equipment used by the surveyor to be followed.

FORESHORE – 1) (Shalowitz) According to riparian law, the strip of land between the high and low water marks that is alternately covered and uncovered by the flow of the tide. 2) (T.R. No. 4) The part of the shore, lying between the crest of the seaward berm (or upper limit of wave action at high tide) and the ordinary low water mark, that is ordinarily traversed by the uprush and backrush of the waves as the tides rise and fall. See BEACH, SHORE, BACKSHORE and TIDELANDS.

FORESIGHT – 1) A sight on a new survey point made in connection with its determination. 2) a distant object intersected by a straight survey line used for checking alinement. See **FORESIGHT***.

FOREWORD AZIMUTH – See GEODETIC AZIMUTH.

FOUND CORNER – An existent corner of the public land surveys which has been recovered by field investigation.

FOURTH PRINCIPAL MERIDIAN – The part of this principal meridian which was adopted in 1815 governs surveys in part of Illinois. It was extended and the portion which was adopted in 1831 governs surveys in Wisconsin and part of Minnesota. It is abbreviated 4th Prin Mer.

FRACTIONAL SECTION – A section, which in its original form, contained one or more subdivisions of less than forty (40) acres due to irregular exterior boundaries, or due to the encroachment of a meandered body of water or other land which could not properly be surveyed or disposed of as an aliquot part of that section.

FRACTIONAL TOWNSHIP – A township containing less than 36 normal sections, usually because of invasion by a segregated body of water, or by other land which cannot properly be surveyed as part of that township or by closing

the public-land surveys on State boundaries or other limiting lines. Half ranges and half townships are fractional townships by definition.

FRAGMENTARY SURVEYS – Surveys required to identify parts of townships and sections not completed in original surveys. This may include partially surveyed sections, omitted public land islands and other lands of substantial value and extent that for various reasons were not included in the original surveys. Surveys of this type frequently require consideration of the question of title prior to the extension of the former surveys.

FREE AND CLEAR – The title to property is said to be “*free and clear*” when it is not encumbered by any lien; but it is said that agreement to convey land “*free and clear*” is satisfied by a conveyance passing a title.

FRONTING – Usually signifies abutting, adjoining, or bordering on, depending on the context. Land abutting on a highway, river, seashore or the like. The land extending along a road, street, river, canal or ocean. The term, as used in statutes relating to assessments for improvements, indicates that there is no intervening land. See ABUT and ADJOINING.

G

GA – Georgia.

GD (Land Status Records) – Gold.

GEO (Land Status Records) – Geothermal.

GEOL STR (Land Status Records) – Geologic structure.

GLO (Land Status Records) – General Land Office.

GR DIST (Land Status Records) – Grazing District.

GR LIC (Land Status Records) – Grazing license.

GR LSE (Land Status Records) – Grazing lease.

GR PER (Land Status Records) – Grazing permit.

GSR MER (Land Status Records) – Gila and Salt River Meridian.

GADSDEN PURCHASE – A purchase from Mexico in 1853 to settle a question as to the limits of the Mexican Cession of 1848. James Gadsden, a South Carolina railroad promoter negotiated for the acquisition of 19 million acres of additional land and the settlement of the claims. The territory acquired lies in the States of Arizona and New Mexico. See GADSDEN TREATY.

GADSDEN TREATY – The December 30, 1853, treaty with Mexico, under the terms of which the United States acquired territory now in the States of Arizona and New Mexico. the territory thus acquired is commonly called the GADSDEN PURCHASE.

GENERAL LAND OFFICE – The agency which was formerly responsible for the execution of the public-land laws relating to cadastral surveys, land disposals, and to various other activities with respect to the administration and management of the public lands. It was established as a unit of the Treasury Department in 1812, and so remained until 1949, when it became a part of the newly created Department of the Interior. It was abolished in 1946 when its functions were combined with those of the Grazing Service to become the Bureau of Land Management.

GEODETIC AZIMUTH – The horizontal angle at station A measured from a north south plane (perpendicular to the reference ellipsoid) clockwise to an ellipsoidal normal section passing through station B. Geodetic azimuth is determined by applying a correction to astronomic azimuth or by computations on the reference ellipsoid. The azimuth from A toward B is the forward azimuth while the azimuth from B toward A is the back azimuth of station B. See **GEODETIC***.

GEODETIC CONTROL – A system of monumented stations having known, precise positions established by geodetic methods.

GEODETIC COORDINATES – Quantities which define a horizontal position on an ellipsoid of reference with respect to a geodetic datum. See **GEOGRAPHIC COORDINATES**.

GEODETIC DATUM – A reference for geodetic survey measurements consisting of fixed latitude, longitude and azimuth values associated with a defined station as well as two constants for an ellipsoid of reference. See **NORTH AMERICAN DATUM OF 1927**.

GEODETIC POSITION – A position of a point on the surface of the earth expressed in terms of geodetic latitude and geodetic longitude. A geodetic position implies an adopted geodetic datum. In a complete record of a geodetic position, the datum must be stated. See **GEOGRAPHIC POSITION**.

GEODETIC SURVEY – A precise survey of considerable extent which takes into account the shape of the earth.

GEOGRAPHER OF THE UNITED STATES – The only man to hold this title was Thomas Hutchins. He was appointed to the position under the terms of the Ordinance of May 20, 1785. The office was created for the supervision of the cadastral survey of the Territory Northwest of the Ohio River according to the rectangular system